

ASSEMBLY BILL

No. 345

Introduced by Assembly Member Torlakson

February 19, 2009

An act to amend Section 52302.8 of the Education Code, relating to regional occupational centers or programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 345, as introduced, Torlakson. Regional occupational centers or programs: emancipated foster youth.

Existing law requires that, for the 2011–12 fiscal year and every fiscal year thereafter, a regional occupational center or program may claim no more than 10% of the state-funded average daily attendance for which the center or program is eligible, for services provided to students who are not enrolled in grades 9 to 12, inclusive, and up to an additional 5% for CalWORKs, Temporary Assistance Program, or Job Corps participants and participants under the federal Workforce Investment Act of 1998.

This bill would exempt services provided by a regional occupational center or program to emancipated foster youth from the cap imposed by this provision.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 52302.8 of the Education Code is
2 amended to read:

1 52302.8. (a) The Legislature hereby finds and declares that
2 vocational training resources that are provided through regional
3 occupational centers and programs are an essential component of
4 the state's secondary school system and the local system of
5 providing occupational skills training to high school pupils. For
6 this reason, the Legislature finds and declares that these resources
7 should be focused primarily on the needs of pupils enrolled in high
8 school.

9 (b) For the 2008–09 fiscal year, a regional occupational center
10 or program may claim no more than 50 percent of the state-funded
11 average daily attendance for which the center or program is eligible,
12 for services provided to students who are not enrolled in grades 9
13 to 12, inclusive.

14 (c) For the 2009–10 fiscal year, a regional occupational center
15 or program may claim no more than 30 percent of the state-funded
16 average daily attendance for which the center or program is eligible,
17 for services provided to students who are not enrolled in grades 9
18 to 12, inclusive.

19 (d) For the 2011–12 fiscal year and every fiscal year thereafter,
20 a regional occupational center or program may claim no more than
21 10 percent of the state-funded average daily attendance for which
22 the center or program is eligible, for services provided to students
23 who are not enrolled in grades 9 to 12, inclusive, and up to an
24 additional 5 percent for CalWORKs, Temporary Assistance
25 Program, or Job Corps participants and participants under the
26 federal Workforce Investment Act of 1998 (29 U.S.C. Sec. 2810
27 et seq.) who are enrolled in Intensive Training services. *The cap*
28 *imposed by this subdivision shall not apply to services provided*
29 *to emancipated foster youth.*

30 (e) Pupils who are CalWORKs, Temporary Assistance Program,
31 or Job Corps participants shall have priority for service within the
32 percentage limits established under subdivision (d).

33 (f) Notwithstanding subdivision (d), a regional occupational
34 center or program may claim more than 15 percent of its average
35 daily attendance for students who are not enrolled in grades 9 to
36 12, inclusive, if all of the students who are not enrolled in grades
37 9 to 12, inclusive, are CalWORKs, Temporary Assistance Program,
38 or Job Corps participants, and if the governing board of the regional
39 occupational center or program does all of the following:

1 (1) Meets with local human services directors, and
2 representatives of adult education programs, community colleges
3 and other institutions of higher education, to assess the needs of
4 CalWORKs, Temporary Assistance Program, or, Job Corps and
5 federal Workforce Investment Act participants to identify
6 alternative ways to meet the needs of these adult students.

7 (2) Enters into a transition plan, approved by the Superintendent,
8 to become in compliance with subdivision (d) in accordance with
9 benchmarks and timelines established in the transition plan.
10 Transition plans shall be established pursuant to guidelines issued
11 by the department, in consultation with the State Department of
12 Social Services, and shall be resubmitted and reviewed annually.

13 (g) Notwithstanding subdivisions (b), (c), and (d), a regional
14 occupational center or program that claims more than 40 percent
15 of its students are not enrolled in grades 9 to 12, inclusive, on
16 January 1, 2007, shall submit a letter to the Superintendent by July
17 1 of each year until it complies with this subdivision, outlining the
18 goals of the regional occupational center or program to reduce the
19 number of adult students in order to comply with subdivision (d)
20 on or before July 1, 2013.

21 (h) Regional occupational centers and programs operated in a
22 rural county of the sixth, seventh, or eighth class may exceed the
23 number of adults by an additional 10 percent of the limits
24 established in subdivisions (b), (c), and (d).

25 (i) For purposes of this calculation, adult average daily
26 attendance attributable to continuously enrolled grade 12 pupils
27 who have not passed the high school exit examination pursuant to
28 Section 60851 is excluded from the calculation under this section.
29 Amounts that may become available from reductions resulting
30 from the enactment of this section shall be redirected to other
31 regional occupational centers or programs to serve additional
32 secondary pupils.

33 (j) The governing boards of a community college district and a
34 regional occupational center or program may enter into contractual
35 agreements under which the center or program provides services
36 to adult students of the community college district affected by this
37 section if both of the following are satisfied:

38 (1) The agreements conform to state regulations and audit
39 requirements jointly developed by the Chancellor of the Office of
40 the California Community Colleges and the State Department of

1 Education, in consultation with, and subject to approval by, the
2 Department of Finance.

3 (2) A course offered for adults pursuant to an agreement entered
4 into pursuant to this subdivision is limited to the same cost per
5 student to the state as if the course were offered at the regional
6 occupational center or program. This subdivision does not authorize
7 the apportionment of funds for community colleges for adult
8 students in excess of the revenue limit for regional occupational
9 centers or programs if a course is deemed eligible for college credit.

10 (k) A regional occupational center or program that fails to meet
11 a timeline established under subdivision (d) or (g) shall meet with
12 the community college, adult education program, or other adult
13 service to identify alternative means of meeting the needs of adult
14 students and shall enter into a corrective action plan administered
15 by the department. The corrective action plan shall be established
16 pursuant to guidelines issued by the department and shall be
17 submitted to the department annually for review.